

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OWEN DIAZ,
Plaintiff,
v.
TESLA, INC., et al.,
Defendants.

Case No. [3:17-cv-06748-WHO](#)

**PROPOSED
VERDICT FORM**

We, the Jury, find as follows:

CLAIM NO. 1: RACIALLY HOSTILE WORK ENVIRONMENT

1. Was Owen Diaz subjected to a racially hostile work environment by Tesla, Inc.?

2.

_____ YES _____ NO

If your answer is "yes," answer question 2. If your answer to question 1 is "no," proceed to question 3.

CLAIM NO. 2: FAILURE TO PREVENT HARASSMENT

2. Did Tesla, Inc., fail to take all reasonable steps necessary to prevent Owen Diaz from being subjected to racial harassment?

_____ YES _____ NO

Answer the next question.

CLAIM NO. 3: NEGLIGENCE SUPERVISION OR RETENTION

3. Did Tesla, Inc.'s negligent supervision or continued employment of Ramon Martinez cause harm to Owen Diaz?

_____ YES _____ NO

If you answered "yes" to either question 1, 2, or 3, answer the next question. If you answered "no" to questions 1 and 2 and 3, the jury foreperson should sign, date, and return this jury questionnaire.

DAMAGES

4. What past non-economic damages did Owen Diaz sustain as a result of Tesla, Inc.'s unlawful conduct?

\$ _____

Go to the next question.

5. What future non-economic damages is Owen Diaz likely to sustain as a result of Tesla, Inc.'s unlawful conduct?

\$ _____

If you answered "yes" to question 1 or 2, answer the next question. If you answer "no" to both question 1 and 2, sign, date, and return this juror questionnaire.

PUNITIVE DAMAGES FOR CIVIL RIGHTS CLAIMS

6. Do you find by a preponderance of the evidence that Owen Diaz is entitled to punitive damages against Tesla Inc. for either creating a hostile work environment based on race, and/or failing to prevent harassment based on race in the workplace?

_____ YES _____ NO

If you answered "yes" to question 6, answer the next question. If you answered question 6 "no," sign date and return this juror questionnaire.

7. What amount of punitive damages do you award to Owen Diaz?

\$ _____

Please sign, date, and return this juror questionnaire.

DATED: _____

JURY FOREPERSON